



Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05Q UNNECESSARY DISPLAY OF WEAPON / OFF DUTY -		TRAFFIC -	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1021923 Type:CR

Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View DOYLE, JOHN	CLOSED/FINAL	NOT SUSTAINED	-	-	-	21-NOV-2008	N/A
View RIVERA, JOHN	CLOSED/FINAL	NOT SUSTAINED	-	-	-	21-NOV-2008	N/A

row(s) 1 - 2 of 2

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View 1	FACE SHEET	N/A	-	-	-	QUERFURTH, PATRICK	NOV-21-2008 19:49	-	-	-
View 2	CONFLICT CERTIFICATION	N/A	-	-	-	OLVERA, MARIA	NOV-25-2008 09:49	-	-	-
View 3	CONFLICT CERTIFICATION	N/A	-	-	-	WASHINGTON, DONNA	DEC-05-2008 09:15	-	-	-
View 4	ARREST REPORT	N/A	5	Victim, [REDACTED]	-	HOWARD, MIA	DEC-08-2008 16:32	APPROVED	-	YES
View 5	REPORT (OTHER)	N/A	4	Internet complaint form	YES	WASHINGTON, DONNA	JUN-04-2009 10:37	APPROVED	-	YES
View 6	GENERAL OFFENSE CASE REPORT	N/A	2	-	-	HOWARD, MIA	DEC-08-2008 16:35	APPROVED	-	YES
View 7	ATTENDANCE AND ASSIGNMENT RECORD	N/A	6	Unit 13, Watch 3	-	HOWARD, MIA	DEC-08-2008 16:36	APPROVED	-	YES
View 8	TACTICAL RESPONSE REPORT (TRR)	N/A	2	Officer John Rivera	-	HOWARD, MIA	DEC-08-2008 16:37	APPROVED	-	YES
View 9	OFFICERS BATTERY REPORT	N/A	2	Officer John Rivera	-	HOWARD, MIA	DEC-08-2008 16:38	APPROVED	-	YES
View 10	P.C.A.D. (PCAD) REPORTS	N/A	4	-	YES	WASHINGTON, DONNA	AUG-24-2009 13:24	APPROVED	-	YES
View 11	REPORT (OTHER)	N/A	2	POD Video Retrieval Request	-	HOWARD, MIA	DEC-08-2008 16:40	APPROVED	-	YES
View 12	POD CD	N/A	1	POD	-	HOWARD, MIA	DEC-08-2008 16:41	APPROVED	-	YES
View 13	LEADS RESPONSE	N/A	1	-	-	HOWARD, MIA	DEC-08-2008 16:42	APPROVED	-	YES
View 14	ATTEMPT TO CONTACT	N/A	1	Victim, [REDACTED]	-	HOWARD, MIA	DEC-08-2008 16:43	APPROVED	-	YES

View Incident

View	15	ATTEMPT TO CONTACT	N/A	1	Victim, [REDACTED]	-	HOWARD, MIA	DEC-08-2008 16:44	APPROVED -	YES
View	16	ATTEMPT TO CONTACT	N/A	1	Certified Mail Receipt	- [REDACTED]	HOWARD, MIA	DEC-08-2008 16:45	APPROVED -	YES
View	17	ATTEMPT TO CONTACT	N/A	1	Certified Mail Receipt	- [REDACTED]	HOWARD, MIA	DEC-08-2008 16:46	APPROVED -	YES
View	18	ATTEMPT TO CONTACT	N/A	1	Certified Stamped Mailed Receipts	-	HOWARD, MIA	DEC-08-2008 16:47	APPROVED -	YES
View	19	ATTEMPT TO CONTACT	N/A	1	PV- [REDACTED]	YES	WASHINGTON, DONNA	DEC-12-2008 10:01	APPROVED -	YES
View	20	ATTEMPT TO CONTACT	N/A	1	Cert. Registered Green Card Victim, [REDACTED]	- [REDACTED]	WASHINGTON, DONNA	DEC-12-2008 10:02	APPROVED -	YES
View	21	ATTEMPT TO CONTACT	N/A	1	Attorney Letter- Horwitz Victim,	- [REDACTED]	WASHINGTON, DONNA	DEC-12-2008 10:03	APPROVED -	YES
View	22	ATTEMPT TO CONTACT	N/A	1	Cert. Mail receipt	- [REDACTED]	WASHINGTON, DONNA	DEC-12-2008 10:04	APPROVED -	YES
View	23	ATTEMPT TO CONTACT	N/A	1	Cert. Mail Receipt Attorney Horwitz	-	WASHINGTON, DONNA	DEC-12-2008 10:06	APPROVED -	YES
View	24	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Victim, [REDACTED]	- [REDACTED]	WASHINGTON, DONNA	DEC-12-2008 10:06	APPROVED -	YES
View	25	COMPLAINANT STATEMENT	N/A	3	Victim, [REDACTED]	- [REDACTED]	WASHINGTON, DONNA	DEC-12-2008 10:16	APPROVED -	YES
View	26	ATTEMPT TO CONTACT	N/A	1	Cert. Stamped Mail receipt (Green Card)	- [REDACTED]	WASHINGTON, DONNA	DEC-12-2008 10:17	APPROVED -	YES
View	27	SUPERVISOR LOG	N/A	1	Sgt. Bigden	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:30	APPROVED -	YES
View	28	ATTEMPT TO CONTACT	N/A	2	Certified Receipt/Green Card	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:30	APPROVED -	YES
View	29	P.C.A.D. (PCAD) REPORTS	N/A	1	Event #0832512224	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:31	APPROVED -	YES
View	30	ATTEMPT TO CONTACT	N/A	1	Green Card	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:32	APPROVED -	YES
View	31	O.E.M.C. (OEMC) TAPE TRANSMISSIONS TRANSCRIPTION	N/A	2	Voice Transmission/Affidavit	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:34	APPROVED -	YES
View	32	O.E.M.C. (OEMC) REQUEST/HOLD	N/A	1	-	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:34	APPROVED -	YES
View	33	INVENTORY SHEET	N/A	1	Inv. #11518326	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:35	APPROVED -	YES
View	34	ATTENDANCE AND ASSIGNMENT RECORD	N/A	10	Unit #193, 20 Nov 08	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:37	APPROVED -	YES
View	35	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	6	-	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:53	APPROVED -	YES
View	36	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	Accused, John Doyle	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:54	APPROVED -	YES
View	37	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	Accused, John Doyle	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:55	APPROVED -	YES
View	38	INTERVIEW - ACCUSED	N/A	5	Accused, John Doyle	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:56	APPROVED -	YES
View	39	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	Accused, John Rivera	-	CULBERSON HAYNE, ANGELA	MAR-23-2009 08:57	APPROVED -	YES
View	40	WAIVER OF COUNSEL/REQUEST	N/A	1	Accused, John Rivera	-	CULBERSON	MAR-23-	APPROVED -	YES

TO SECURE COUNSEL

View	41	INTERVIEW - ACCUSED	N/A	5	Accused, John Rivera -	HAYNE, ANGELA	2009 08:57	CULBERSON	MAR-23-2009 08:59	APPROVED -	YES
View	42	INTERVIEW - WITNESS	N/A	4	Witness, [REDACTED] -	CULBERSON	MAR-23-2009 09:01	HAYNE, ANGELA	APPROVED -	YES	
View	43	INTERVIEW - WITNESS	N/A	4	Witness, [REDACTED] -	CULBERSON	MAR-23-2009 09:02	HAYNE, ANGELA	APPROVED -	YES	
View	44	INTERVIEW - WITNESS	N/A	5	Witness, Sgt. Brennan	CULBERSON	MAR-23-2009 09:03	HAYNE, ANGELA	APPROVED -	YES	
View	45	REPORT (OTHER)	N/A	1	Sgt. Betz	CULBERSON	MAR-23-2009 09:03	HAYNE, ANGELA	APPROVED -	YES	
View	46	ATTEMPT TO CONTACT	N/A	1	[REDACTED] -	CULBERSON	APR-21-2009 08:46	HAYNE, ANGELA	APPROVED -	YES	
View	47	REPORT (OTHER)	N/A	2	Certified Letter	CULBERSON	APR-21-2009 08:46	HAYNE, ANGELA	APPROVED -	YES	
View	48	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	9	Victim, [REDACTED] -	CULBERSON	APR-21-2009 08:47	HAYNE, ANGELA	APPROVED -	YES	
View	-	SUMMARY REPORT DIGEST	N/A	6	-	OLVERA, MARIA	AUG-31-2009 13:23	OLVERA, MARIA	APPROVED -	YES	

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Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/Detailed Unit	Comments
CLOSED AT C.O.P.A.	17-DEC-2009 13:19	HENDERSON, PAMELA	CLERK 3	[REDACTED]	113 / -	-
CLOSED/FINAL	17-DEC-2009 13:19	HENDERSON, PAMELA	CLERK 3	[REDACTED]	113 / -	-
PENDING IMPLEMENT ACTION	10-DEC-2009 13:32	BROWN, ERNEST	CHIEF	[REDACTED]	188 / -	-
PENDING COMMAND CHANNEL REVIEW	30-SEP-2009 16:46	LODDING, HOWARD	ASST DEPUTY SUP	[REDACTED]	124 / -	-
PENDING COMMAND CHANNEL REVIEW	25-SEP-2009 15:51	WEDSTER, RUTH	COMMANDER	[REDACTED]	141 / 124	-
PENDING COMMAND CHANNEL REVIEW	22-SEP-2009 15:28	ROTI, NICHOLAS	DEP CHIEF	[REDACTED]	188 / -	-
PENDING COMMAND CHANNEL REVIEW	18-SEP-2009 16:15	GORMAN, JOSEPH	COMMANDER	[REDACTED]	193 / -	-
PENDING COMMAND CHANNEL REVIEW	14-SEP-2009 08:14	ROWAN, JAMES	SERGEANT OF POLICE	[REDACTED]	121 / -	-
PENDING ADVOCATE REVIEW	10-SEP-2009 13:41	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	01-SEP-2009 09:42	HENDERSON, PAMELA	CLERK 3	[REDACTED]	113 / -	-
CLOSED AT C.O.P.A.	01-SEP-2009 09:39	HENDERSON, PAMELA	CLERK 3	[REDACTED]	113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	31-AUG-2009 13:24	OLVERA, MARIA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE REVIEW	24-AUG-2009 13:27	WASHINGTON, DONNA	INVESTIGATOR 2 COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATION	24-AUG-2009 11:33	OLVERA, MARIA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE REVIEW	13-AUG-2009	WASHINGTON,	INVESTIGATOR 2 COPA	[REDACTED]	113 / -	-

PENDING INVESTIGATION	10:42 25-NOV-2008 09:49	DONNA OLVERA, MARIA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING ASSIGN INVESTIGATOR	24-NOV-2008 13:05	DUFFY, MICHAEL	COOR /INVESTIGATIONS	[REDACTED]	113 / -	-
PENDING ASSIGN TEAM	21-NOV-2008 19:50	QUERFURTH, PATRICK	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING SUPERVISOR REVIEW	21-NOV-2008 19:49	QUERFURTH, PATRICK	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING SUPERVISOR REVIEW	21-NOV-2008 19:49	QUERFURTH, PATRICK	SUPERVISING INV COPA	[REDACTED]	113 / -	-

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Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
RIVERA, JOHN 1		GORMAN, JOSEPH
RIVERA, JOHN 2		ROTI, NICHOLAS
RIVERA, JOHN 3		BROWN, ERNEST
DOYLE, JOHN 1		WEDSTER, RUTH
DOYLE, JOHN 2		LODDING, HOWARD

row(s) 1 - 5 of 5

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENT

LOG NO

1021923

TYPE

CR

DATE OF REPORT

26-Aug-2009

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
WASHINGTON, DONNA	9182	143	85698	113	

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 2900 W. FULTON ST, CHICAGO, IL 60612	DATE / TIME: 20-NOV-2008 17:11	BEAT: 1331
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
RIVERA, JOHN E	9161	12993	42024	193		M / S	04-MAR-1963	17-NOV-1986	UNK	YES
DOYLE, JOHN M	9161	17744	21791	013		M / WHI	16-FEB-1967	08-MAR-1999	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
	2943 W. WALNUT ST APT NO. #1 CHICAGO, IL		773-638-7655	F / BLK	/

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
	2943 W. WALNUT ST APT NO. #1 CHICAGO, IL		773-638-7655	F / BLK	/
STEFAN	2943 W. WALNUT ST APT NO. #1 CHICAGO, IL		773-638-7555	M / BLK	/

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

On 21 November 2008, at 1949 hours, a complaint was received via the internet via the IPRA website from [REDACTED] and was registered by Supervisor Patrick Querfurth.

It is alleged by [REDACTED] (and in a civil lawsuit) that 20 Nov 08, at approximately 1750 hrs, while in the vicinity of 2900 W. Fulton Street, Officer John Rivera, star #12993. 1) Directed various profanities at [REDACTED] 2) Pointed his weapon/ a handgun at [REDACTED] 3) Used the term "Nigger(s)."

It is alleged by [REDACTED] (and in a civil lawsuit) that on 20 Nov 08, at approximately 1750 hrs, while in the vicinity of 2900 W. Fulton Street, Officer Doyle, star# 17744 1) Verbally abused [REDACTED] by calling him" a liar and a fucking felon."

SUMMARY

See page 3

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
1, 23	4,5,6,48	5,12	50

FINDINGS - RECOMMENDATIONS

FINDINGS:

Accused Officer: John Rivera
Allegations 1,3: Not Sustained
Allegation 2: Exonerated

Accused Officer: John Doyle
Allegation1: Not Sustained


Supervisor, Maria Elena Olvera

DATE INITIATED
(Date incident was received for investigation)

25-NOV-2008

DATE COMPLETED (Date of this report)

26-AUG-2009

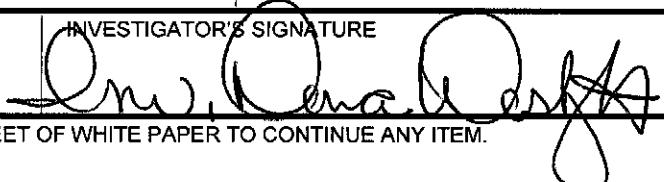
ELAPSED TIME
(Total time expressed in days)

119

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.



Investigation:

On 21 November 2008, a complaint was received via the internet submitted to IPRA by victim, [REDACTED] (Att. 5)

The Independent Police Review Authority received a civil suit from Horwitz, Richardson, and Baker LLC, on behalf of victim, Stephan [REDACTED] during the course of the investigation. Attempts were made to obtain the information of [REDACTED] by sending letters to his Attorney, Rachelle Sorg. However Attorney, Rachelle Sorg nor [REDACTED] cooperated with this investigation. The allegations that were outlined in the civil suit are the same allegations given to IPRA. (Att. 48) (Att. 25)

In an interview with IPRA, victim, [REDACTED] stated on 20 November 2008, she was driving a 1990 blue cutlass Cierra, south on Sacramento at the corner of Fulton. [REDACTED] stated she was with her son, [REDACTED] who was a passenger in the car. [REDACTED] stated it was rush hour and traffic was stopped. A car pulled up to the right side of her vehicle. [REDACTED] got out of the car and told her he "was trying to protect them." [REDACTED] screamed at [REDACTED] to get back in the car. [REDACTED] stated she saw a barrel of a gun pointing towards their car.

[REDACTED] stated a male/white, now known as Officer John Rivera, told them "fuck you niggas." [REDACTED] said when [REDACTED] got back in the car, she drove away. [REDACTED] said she drove past her home because Officer Rivera was following her. Sander stated Stephan called the police from his cell-phone. They returned home and a male/white officer, now known as, Officer Doyle, arrived at her home and told [REDACTED] to tell him what happened. Officer Doyle said to [REDACTED] that the person he called in on was at the station, and they needed him to identify the man. The police took her son to the police station. [REDACTED] stated her son called her at midnight and asked her to come to the Grand and Central police station. [REDACTED] stated when she arrived at Grand and Central police station she was told Stefan was under arrest and was not told the reason. (Att. 25)

Related Department reports indicate [REDACTED] got was riding on the passenger side of a vehicle, yelling obscenities and making obscene gestures towards Rivera. Rivera told [REDACTED] to drive on. [REDACTED] got out of the vehicle and took a combative manner by walking towards Rivera. [REDACTED] continued to yell obscenities towards Rivera asking "if he had a problem." Rivera informed [REDACTED] that he did not have a problem. Rivera announced his office and drew his weapon in fear of receiving a battery. Rivera told [REDACTED] to return to his vehicle. Rivera then called the incident into the zone to get assistance at the location. [REDACTED] returned to his vehicle and left the location causing Rivera to follow the vehicle. (Att.6)

In the TRR completed by Officer John Rivera, [REDACTED] was an assailant and he posed an imminent threat of battery to Officer Rivera. (Att.8)

The OEMC event query revealed [REDACTED] called 911 to report a driver of a tan Buick LeSabre "flashed a gun and threatened him with a gun." (Att. 10)

In a witness statement at IPRA, Officer Stewart stated he worked beat 1331 with his partner Officer Doyle. Officer Stewart related that he responded to 2943 W. Walnut, when the call was dispatched over the radio as an assault. Officer Stewart stated [REDACTED] told him that he was involved in an incident on Sacramento and a man pulled a gun. Officer Stewart stated [REDACTED] was asked to go to the station because they informed him that there was a possible suspect down the street. Officer Stewart stated Sgt. Bigden responded to the residence and escorted [REDACTED] out of the house.

Officer Stewart stated that [REDACTED] was told he was being placed under arrest for assault when they got to the police station. Officer Stewart stated he does not know or did not think that Officer Doyle verbally abused [REDACTED] by calling him a "liar and a fucking felon." Officer Stewart stated he did not see Officer Rivera enter the interview room. (Att. 42)

In a witness statement at IPRA, Sgt. Steven Bigden related on 20 Nov 2008, he was 3rd watch sector sergeant (working beat 1320). Sgt. Bigden stated he responded to 2943 W. Walnut after a call came in over the air as "a man being threatened with a gun." Sgt. Bigden stated an outside unit also came over the radio saying he matched the description of the person and needed a sergeant. Sgt. Bigden said that Officer Rivera was the outside unit that matched the description. Sgt. Bigden stated he met Officer Rivera at Fulton & Western and Officer Rivera described the situation as a victim of an assault. Sgt. Bigden said when he and other officers arrived at 2943 W. Walnut, he asked [REDACTED] to come to the station to clear up the situation.

Sgt. Bigden stated Officer Doyle did not abuse [REDACTED] in his presence. Sgt. Bigden stated [REDACTED] was told he was under arrest either in front of his house or at the 13th district station. Sgt. Bigden also stated that [REDACTED] was arrested because he committed an assault against a police officer. Sgt. Bigden stated Officer Rivera did not enter the interview room or say anything to [REDACTED] in his presence. (Att. 43)

Sgt. David Betz related in a report that on 20 November 2008, he was on furlough. Sgt. Betz stated that his team was supervised by Sgt. Brennan, #1996. (Att. 45)

In a witness statement, Sgt. Joseph Brennan, assigned to unit 193, stated he was the supervising Officer Rivera on 20 Nov 2008. Sgt. Brennan stated that Officer Rivera called him and informed him he was involved in a road rage incident. Officer Rivera called him after [REDACTED] was arrested for assault. Sgt. Brennan stated he did not respond to the location of 2943 W. Walnut.

Sgt. Brennan stated he did not go to 2943 W. Walnut but met Officer Rivera at the 13th District Police station. Sgt. Brennan stated he never spoke to [REDACTED] Sgt. Brennan further stated he did not see Officer Rivera enter a 13 district interview room. (Att. 44)

In a report, accused Officer John Doyle stated he was on duty on 20 Nov 2008, working beat 1331, and his partner was Officer Andy Stewart. Officer Doyle stated he responded to 2943 W. Walnut, regarding a call the accused that came in over the radio as a person with a gun at Sacramento and Fulton. Officer Doyle also stated the call came in as a road rage incident. Officer Doyle stated beat 1310, Supervisor Bigden showed up on the scene. Officer Doyle said when he and his partner, Officer Stewart, arrived at the above address and spoke to the [REDACTED]

Officer Doyle said the [REDACTED] told the officers someone jumped out of a car and pulled a gun on [REDACTED] At that time, they had some idea that the person they were dealing with was a police officer. Officer Doyle denied he verbally abused [REDACTED] Officer Doyle said [REDACTED] was arrested because Officer Rivera signed a complaint for assault. (Att. 38)

In a statement IPRA, accused Officer John Rivera from unit 193 (gang investigation section) stated on 20 Nov 2008 at 1800 hours, he was driving southbound in a covert vehicle on Sacramento to the Homan Square facility. Officer Rivera stated as he approached a red light at 2900 W. Fulton, he saw some commotion coming from the car slightly ahead of him. He looked over, and saw a man flailing his arms, using gestures to "flip him off." Officer Rivera stated the passenger told him "fuck you motherfucker, what's your fucking problem?" Officer Rivera stated the man, now known as Stephan [REDACTED] got out of car. Officer Rivera stated he could not see [REDACTED] right hand, as [REDACTED] advanced towards his car in an aggressive manner, yelling obscenities. Officer Rivera pulled his weapon and pointed his gun in the direction of [REDACTED] because he perceived him as a threat. Officer Rivera stated he identified himself as a police officer. Officer Rivera stated he told [REDACTED] to get back in his car but never told [REDACTED] "Nigga, I blow you away." Officer Rivera stated he did not see the person driving the car. [REDACTED] got back into his car and started to drive away. Officer Rivera flashed his lights and started to follow them but was stopped by traffic.

Officer Rivera stated he arrived at the 13th district police station. He entered the interview room to ask [REDACTED] what was his problem and why was he acting so crazy. Officer Rivera stated [REDACTED] asked him why was he tail-gating him and asked him "why was he calling him a nigger?"

Officer Rivera stated his response was "Now I know what we are playing with." Officer Rivera stated he called [REDACTED] a liar because he said Officer Rivera got out of the car and became "racial with him." Officer Rivera denied cursing at him because he was in a police facility with open doors. Officer Rivera added that [REDACTED] started all of this and obviously did not know he was a police officer.

(Att. 41)

Conclusion:

There is insufficient evidence to prove or disprove the allegation made by the [REDACTED] via the internet that Officer Rivera directed profanities and racial epithets at the [REDACTED]. [REDACTED] did not cooperate with this investigation when attempts were made to get a statement. [REDACTED] stated she heard Officer Rivera tell her and [REDACTED] "Fuck you Niggers." However, Officer Rivera stated he was in his vehicle with the windows rolled up and never got out of his vehicle. The R/I recommend a finding of "Not Sustained" for allegations #1 and 3.

The allegation of Officer Rivera pointing his weapon towards the [REDACTED] occurred but the actions of the accused were lawful and proper. Officer Rivera acknowledged that he pointed his weapon, at [REDACTED] when [REDACTED] approached him in a combative manner and he could not see his right hand. The R/I recommend a finding of "Exonerated" for allegation #2.

There is insufficient evidence to prove or disprove the allegation made by Stephan [REDACTED] stating Officer Doyle called him "a liar and a fucking felon." There were no independent witnesses to support or disprove it happened in the 13th district station. The R/I recommend a finding of "Not Sustained."